

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Ramona Featherby dba California Judicial Recovery Specialists 3344 McGraw Street, San Diego, California 92117 TELEPHONE NO.: 800-354-9496 FAX NO.: 866-531-7174 ATTORNEY FOR (Name): Assignee of Record/pro se		<p>FOR COURT USE ONLY</p> <p>FILED CLERK, U.S. DISTRICT COURT JUN - 2 2010 CENTRAL DISTRICT OF CALIFORNIA DEPUTY</p>
NAME OF COURT: UNITED STATES DISTRICT COURT		
STREET ADDRESS: 312 N. Spring Street		
MAILING ADDRESS: same		
CITY AND ZIP CODE: Los Angeles 90012		
BRANCH NAME: CENTRAL DISTRICT OF CALIFORNIA		CASE NUMBER: CV 96-03886 (RNBx)
PLAINTIFF: ULRICH RISCHER		
DEFENDANT: BANLAVOURA I, INC.		
<p>APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION</p> <p><input checked="" type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Third Person)</p> <p><input type="checkbox"/> Judgment Debtor <input checked="" type="checkbox"/> Third Person</p>		

ORDER TO APPEAR FOR EXAMINATION

1. (name): Harry Klein, T.K. Associates
2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
- ☐ furnish information to aid in enforcement of a money judgment against you.
- ☒ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
- ☐ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date: August 10, 2010 Time: 9:30 a.m. Courtroom Number: 6D
 Address of court ☐ shown above ☒ is: 411 W. Fourth, Santa Ana, CA 92701

3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: 6/2/10

ROBERT N. BLOCK

JUDGE OR MAGISTRATE JUDGE

This order must be served not less than 10 days before the date set for the examination.

IMPORTANT NOTICES ON REVERSE**APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION**

4. ☐ Judgment creditor ☒ Assignee of record ☐ Plaintiff who has a right to attach order
 applies for an order requiring (name): **HARRY KLEIN, TK ASSOCIATES** to appear and furnish information
 to aid in enforcement of the money judgment or to answer concerning property or debt.
5. The person to be examined is
- a. ☐ the judgment debtor.
- b. ☒ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who
 owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil
 Procedure section 491.110 or 708.120 is attached.
6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
7. ☐ This court is **not** the court in which the money judgment is entered or (attachment only) the court that issued the writ of
 attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
8. ☐ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination
 is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 5-25-10

Ramona Featherby

(TYPE OR PRINT NAME)

Ramona Featherby

(SIGNATURE OF DECLARANT)

Ramona Featherby, d.b.a.
California Judicial Recovery Specialists
3344 McGraw Street
San Diego, CA 92117-6053
800-354-9496 • FAX 866-531-7174
californiajrs@mac.com

ASSIGNEE OF RECORD/JUDGMENT CREDITOR

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ULRICH RISCHER, an individual

Plaintiff,

vs.

BANLAVOURA I INC. TRUST,
ET AL

Defendants.

Case No. CV 96-03886 SJO (RNBx)

**AFFIDAVIT OF RAMONA
FEATHERBY IN SUPPORT OF
EXAMINATION OF THIRD PARTY**

I, the undersigned, declare:

1. I am the Assignee of Record. I have personal knowledge of the facts set forth in this declaration, except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

2. The Judgment against Larry and Aida Esacove and their entities remains unsatisfied with an outstanding balance of \$14,361,213.59 and is accruing interest at the rate of \$3,279.56 per day.

3. On April 27, 2010 I conducted an examination of Judgment Debtor Larry Esacove. Based upon his testimony, I am informed and believe that Harry Klein of

1 T.K. Associates was the accountant for the Judgment Debtors up until 2010. I am
2 further informed and believe that Mr. Klein acted in some capacity as the
3 Judgment Debtor's advisor relative to miscellaneous business projects. When
4 asked about the nature of these 'projects', the Judgment Debtor could provide no
5 details.

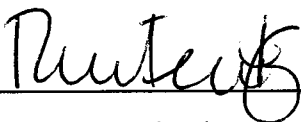
6 4. Throughout his examination, Mr. Esacove either did not know or could not
7 remember relevant facts regarding his income and assets. In previous examinations
8 before this court in the summer of 2009, Mr. Esacove gave willfully false
9 testimony regarding his bank accounts. Furthermore, Mr. Esacove neglected to
10 comply with a subpoena to produce documents.

11 5. Inasmuch as Larry Esacove was unable to answer questions regarding his
12 income and assets, Judgment Creditor finds it necessary to expand her efforts to
13 third parties in the search for income and assets to satisfy the judgment.
14

15 6. F.R. 69(a)(2) allows a judgment creditor to obtain discovery from any person as
16 provided by the procedure of the state where the court is located. CCP §708.130
17 provides that witnesses may be required to appear in an examination proceeding.

18 7. The undersigned wishes to examine Mr. Harry Klein of T.K. Associates, in
19 reference to the assets, income and business activities of the Judgment Debtors.

20 8. I declare under penalty of perjury under the United States of America that the
21 foregoing is true and correct and that this Affidavit was executed on May 25, 2010 at
22 San Diego, California.

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24 
25

26 Ramona Featherby
27 d.b.a. California Judicial Recovery Specialists
28 JUDGMENT CREDITOR/ASSIGNEE OF RECORD